



PATENT
794601-2097

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : HO, STANLEY
Serial No. : 10/720,509
For : A FASTENING DEVICE
Filed : NOVEMBER 11, 2003
Examiner : MAH, CHUCK Y.
Art Unit : 3676

745 Fifth Avenue
New York, NY 10151
EXPEDITED PROCEDURE
RESPONSE AFTER FINAL ACTION
UNDER 37 C.F.R. §1.116

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Date of Deposit: August 25, 2005

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(Signature of person mailing paper or fee)

TERMINAL DISCLAIMER

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is being filed in response to the May 26, 2005 Office Action, which rejected claims 1-13 under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-13 of U.S. Patent No. 6,698,061 in view of Markward (U.S. Patent No. 2,705,385).

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This Terminal Disclaimer serves to obviate the rejections of the present application and to place the application into condition for allowance.

Reconsideration and withdrawal of the double patenting rejections is respectfully requested in view of this Terminal Disclaimer, the recordal of which is also respectfully requested,. A check in the amount of \$130.00 in payment of the required fee under 37 C.F.R. 1.20(d) is enclosed; however, the Commissioner is authorized to charge any additional fee or credit any overpayment to Deposit Account 50-0320.

A Terminal Disclaimer as to U.S. Patent No. 6,698,061 patent is herewith provided as follows:

I, Edgar Haug, declare that I am the attorney of record and that I am authorized to execute terminal disclaimers on behalf of Allure Home Creations, the assignee of the above-captioned application ("the present application") and U.S. Patent Nos. 6,698,061 ("the '061 patent");

That Allure Home Creations has a place of business at 85 Fulton Street, Boonton, New Jersey, 07005;

That Allure Home Creations is the assignee of the entire right, title and interest in, to and under U.S. Patent Application Serial No. 10/720,509, filed on November 24, 2003 (the present application), which is a continuation-in-part of U.S. Application Serial No. 09/988,114, which issued as U.S. Patent No. 6,698,061, filed on November 16, 2001 and which issued on March 2, 2004, by virtue of the assignment from the inventor as set out at Reel Number 016427 and Frame Number 0616, where said assignment was recorded at the U.S. Patent and Trademark Office on August 18, 2005;

That Allure Home Creations is the assignee of the entire right, title and interest in to and under U.S. Patent No. 6,698,061, filed on November 16, 2001 and which issued on March 2, 2004, by virtue of the assignment from the inventor as set out at Reel Number 016427 and Frame Number 0616, wherein said assignment was recorded at the U.S. Patent and Trademark Office on August 18, 2005;

That Allure Home Creations hereby disclaims the terminal part of any patent granted on the present application which would extend beyond the expiration date of the full statutory term of the of the '061 patent;

That Allure Home Creations hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the '061 patent, this agreement to run with any patent granted on the present application and to be binding upon the grantee, its successor, or assigns;

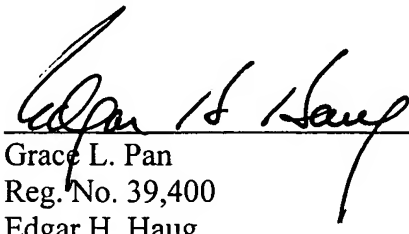
That no terminal part of any patent granted on the present application is disclaimed prior to the full statutory term of the '061 patent, in the event that said '061 patent earlier expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or is terminally disclaimed under 37 C.F.R. §1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above;

In accordance with 37 C.F.R. §3.73(b), the undersigned attorney of record, empowered to sign this Statement on behalf of the assignee, states that Allure Home Creations is the assignee of the entire right, title and interest in the patent and patent application identified above (the present application, and the '061 patent) by virtue of the assignments identified above.

And thus, that the undersigned has reviewed documents in the chain of title of the patent and patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the inventor identified above.

Reconsideration and withdrawal of the double patenting rejection, consideration and entry of this paper, and recordal of this Terminal Disclaimer, as well as a reconsideration and withdrawal of the rejection of the Final Office Action, and prompt issuance of a Notice of Allowance are all respectfully requested; with any fee therefore or any overpayment in such fees, to be charged or credited to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

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